

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DIVISION OF MEDICAL QUALITY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)
)
)
PIANG S. TJONG, M.D.)
Certificate No. A-32475)
)
 Respondent.)
)
_____)

No. 07-90-3487

DECISION

The attached Stipulation in Settlement 07-90-3487 has been adopted by the Division of Medical Quality, Medical Board of California as its Decision in the above-entitled matter.

This agreement shall become effective on DECEMBER 7, 1995

It is so Ordered NOVEMBER 7, 1995

DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA

By Karen McElliot
KAREN MCELLIOTT
President

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 JANA L. TUTON
Supervising Deputy Attorney General
3 ROBERT C. MILLER
Deputy Attorney General
4 1515 K Street, Suite 511
P. O. Box 944255
5 Sacramento, CA 94244-2550
Telephone: (916) 324-5161

6 Attorneys for Complainant
7

8 BEFORE THE DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
10

11 In the Matter of the
12 Accusation Against:

No. D-5620

STIPULATION IN SETTLEMENT

13 PIANG S. TJONG, M.D.
1383 E. Herndon Ave.
14 Fresno, CA 93710

15 Certificate No. A-032475

16 Respondent.
17

18 Respondent Piang S. Tjong, M.D., through his attorney,
19 Henry R. Fenton, and the Medical Board of California, Division of
20 Medical Quality, through its counsel Deputy Attorney General
21 Robert C. Miller, do hereby enter into the following stipulation:

22 1. Dixon Arnett, Executive Director of the Medical
23 Board of California (hereinafter "Board") filed amended
24 accusation number D-5620 solely in his official capacity.

25 2. On June 20, 1978, the Board issued physician and
26 surgeon certificate number A-032475 to Piang S. Tjong
27 (hereinafter "respondent"). The certificate was in full force

1 and effect at all times pertinent herein.

2 3. Respondent has read and understands the charges
3 contained in the Amended Accusation. Respondent understands that
4 said charges, if found to be true, constitute cause for
5 disciplinary action.

6 4. Respondent understands that he has a right to a
7 hearing on the charges contained in the Amended Accusation, to
8 reconsideration, to appeal, and to any and all rights accorded
9 him by the Administrative Procedure Act and Code of Civil
10 Procedure. Respondent hereby freely and voluntarily waives those
11 rights in order to enter into this stipulation as a resolution of
12 the pending Amended Accusation against him.

13 5. It is expressly understood by the parties that the
14 admissions made herein are for the purposes of this proceeding or
15 other proceeding before the Board and may not be used for any
16 other purpose.

17 6. Subject to the proviso in item 5 above, respondent
18 admits that the allegations contained in paragraph 12 of the
19 amended accusation are true in that the allegations in the
20 accusation constitute repeated negligent acts.

21 7. Based on the waivers and admissions made herein,
22 the Division of Medical Quality of the Board may issue the
23 following decision:

24 Physician and surgeon certificate number A-032475,
25 heretofore issued to Piang S. Tjong, M.D., is hereby revoked;
26 provided, however, that said revocation is stayed, and respondent
27 is placed on probation for a period of five (5) years upon the

1 following terms and conditions:

2 A. Within sixty (60) days of the effective date of
3 this decision, respondent shall take and pass an exam, the
4 answers to which may be in writing, to be administered by the
5 Division or its designee. The examination shall cover that
6 knowledge regarding the care and treatment of critical-care
7 patients which is expected of a general practice physician. The
8 examiners shall not be selected from practitioners in Fresno
9 County, and the Board will nominate three physicians from whom
10 respondent may select two who will administer the exam. If
11 respondent fails this examination, respondent must take and pass
12 a re-examination consisting of a written as well as an oral
13 examination. The waiting period between repeat examinations
14 shall be at three month intervals until success is achieved.
15 Respondent shall pay the cost of the first examination and shall
16 pay the cost of any subsequent re-examinations. If respondent
17 fails the first examination, respondent shall cease the practice
18 of medicine until the re-examination has been successfully
19 passed, as evidenced by written notice to respondent from the
20 Division. Failure to pass the required examination no later than
21 one hundred (100) days prior to the termination date of probation
22 shall constitute a violation of probation.

23 B. Within ninety (90) days of the effective date of
24 this decision, and on an annual basis thereafter, respondent
25 shall submit to the Division for its prior approval an
26 educational program or course in the treatment of critical-care
27 patients, which shall not be less than forty (40) hours per year,

1 for each year of probation. This program shall be in addition to
2 the Continuing Medical Education requirements for re-licensure.
3 Following the completion of each course, the Division or its
4 designee may administer an examination to test respondent's
5 knowledge of the course. Respondent shall provide proof of
6 attendance for sixty-five (65) hours of continuing medical
7 education of which forty (40) hours were in satisfaction of this
8 condition and were approved in advance by the Division.

9 C. Respondent shall pay costs to the Division in the
10 amount of \$1000 to be paid in equal quarterly installments during
11 the first year of probation

12 D. Respondent shall obey all federal, state and local
13 laws and all rules governing the practice of medicine in
14 California.

15 E. Respondent shall submit quarterly declarations
16 under penalty of perjury on forms provided by the Division,
17 stating whether there has been compliance with all of the
18 conditions of probation.

19 F. Respondent shall comply with the Division's
20 probation surveillance program.

21 G. Respondent shall appear in person for interviews
22 with the Division's medical consultant upon request at various
23 intervals and with reasonable notice.

24 H. In the event that respondent should leave
25 California to reside or practice outside the state, respondent
26 must notify the Division in writing of the dates of departure and
27 return. Periods of residency or practice outside California will

1 not apply to the reduction of the probationary period.
2 Respondent is currently residing outside of the State of
3 California; accordingly, the terms and conditions of this
4 probationary order will remain tolled until such time as
5 respondent returns to practice in California. Upon his return,
6 respondent shall immediately notify the Board, at which time
7 respondent must begin compliance with the terms and conditions of
8 this probationary order.


9 I. Upon successful completion of probation,
10 respondent's certificate will be fully restored.

11 J. If respondent violates probation in any respect,
12 the Division, after giving notice and opportunity to be heard may
13 revoke probation and carry out the disciplinary order that was
14 stayed. If an accusation or petition to revoke probation is
15 filed against respondent during probation, the Division shall
16 have continuing jurisdiction until the matter is final, and the
17 period of probation shall be extended until the matter is final.

18 8. If this stipulation is not adopted by the
19 Division, it shall have no force or effect on any party.

20 DATED: 5/1/95

21 DANIEL E. LUNGREN, Attorney General
22 of the State of California
23 JANA L. TUTON
24 Supervising Deputy Attorney General

25 
26 ROBERT C. MILLER
27 Deputy Attorney General

Attorneys for Complainant

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DATED: 3/21/95

Piang S. Tjong, M.D.
PIANG S. TJONG, M.D.

Respondent

DATED: 3-30-95

Henry R. Fenton
HENRY R. FENTON
Attorney for Respondent

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8 BEFORE THE DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
10

11 In the Matter of the
12 Accusation Against:

) No. D-5620
)
)

AMENDED ACCUSATION

13 PIANG S. TJONG, M.D.
1383 E. Herndon Avenue
14 Fresno, CA 93710
)
)
)

15 Physician's and Surgeon's
16 Certificate No. A-032475
)
)
)

Respondent.
17

18 Dixon Arnett, the complainant herein, alleges as
19 follows:

20 1. Complainant Dixon Arnett makes and files this
21 accusation solely in his official capacity as Executive Director
22 of the Medical Board of California.

23 2. On June 20, 1978, respondent Piang S. Tjong, M.D.
24 (hereinafter "respondent") was issued Physician's and Surgeon's
25 Certificate No. A-032475 under the laws of the State of
26 California. The certificate is and has been in full force and

27 / / /

1 (C) Respondent was also grossly negligent in his
2 treatment of C.S. by failing to recognize myocardial, ischemia
3 and failing to appropriately treat that condition or to secure a
4 cardiology consultation.

5 (D) Respondent was further negligent in his treatment
6 of C.S. by failing to recognize the possibility of infection of
7 the patient's prosthetic aortic valve or to provide adequate
8 empiric, antibiotic coverage of such a possibility.

9 J.N.

10 8. Respondent committed unprofessional conduct in
11 violation of section 2234 as more particularly alleged below:

12 (A) Respondent was J.N.'s treating physician while J.N.
13 was a patient at Fresno Community Hospital from November 27, 1988
14 to December 12, 1988.

15 (B) Respondent was incompetent in his management of
16 J.N.'s congestive heart failure by failing to aggressively treat
17 this illness by direct admission to the Intensive Care Unit, and
18 consultation with cardiac specialists.

19 (C) Respondent was negligent in his treatment of J.W.
20 by failing to keep adequate records reflecting an appropriate
21 treatment plan and failing to record consultations with the
22 patient's family regarding treatment options.

23 T.R.

24 9. Respondent committed unprofessional conduct in
25 violation of section 2234 as more particularly alleged below:

26 (A) Respondent was T.R.'s primary care physician at
27 St. Agnes Medical Center from May 14, 1992 to May 28, 1992.

1 (B) Respondent was incompetent in his treatment of
2 T.R. by failing to get an adequate initial history and physical
3 examination, and by failing to adequately document patient
4 progress.

5 (C) Respondent was incompetent in his treatment of
6 T.R. by failing to adequately manage T.R.'s renal failure.

7 (D) Respondent was incompetent in his treatment of
8 T.R. by failing to adequately evaluation T.R.'s abdominal
9 complaints and treat his sepsis.

10 V.D.

11 10. Respondent committed unprofessional conduct in
12 violation of section 2234 as more particularly alleged below:

13 (A) Respondent was V.D.'s primary care physician while
14 V.D. was a patient at Fresno Community Hospital on September 11,
15 1993.

16 (B) Respondent was negligent in his treatment of V.D.
17 by failing to properly initiate care and treatment for V.D. who
18 was suffering from multiple organ failure.

19 S.C.

20 11. Respondent committed unprofessional conduct in
21 violation of section 2234 as more particularly alleged below:

22 (A) Respondent was S.C.'s primary care physician while
23 S.C. was a patient at Fresno Community Hospital on September 11,
24 1993.

25 (B) Respondent was negligent in his treatment of S.C.
26 by failing to recognize the seriousness of S.C.'s illness; by
27 failing to adequately evaluation and develop a treatment plan for

1 S.C.; and by failing to adequately document the treatment given
2 to S.C. while in respondent's care.

3 12. Respondent is further subject to disciplinary
4 action pursuant to section 2234, subdivision (c), as more
5 particularly alleged below:

6 Respondent's departures from the standard of care as
7 set forth in the paragraphs above, or any combination, thereof,
8 as well as respondent's lack of adequate record keeping in each
9 case, constituted repeated negligent acts in violation of section
10 2234, subdivision (c).

11 WHEREFORE, complainant prays that the Division of
12 Medical Quality hold a hearing on the matters alleged herein and
13 following said hearing, issue a decision:

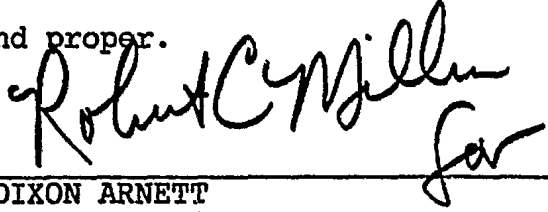
14 1. Suspending or revoking respondent's Physician's
15 and Surgeon's Certificate Number A-032475 issued to respondent
16 Piang S. Tjong, M.D.;

17 2. Prohibiting Piang S. Tjong, M.D. from supervising
18 physician assistants;

19 3. Order respondent to pay the reasonable costs of
20 investigation and prosecution of his race; and

21 4. Taking such other and further action as the
22 Division deems necessary and proper.

23 DATED: 1/26/95

24 
25 _____
26 DIXON ARNETT
27 Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

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1 DANIEL E. LUNGREN, Attorney General
of the State of California
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8 BEFORE THE DIVISION OF MEDICAL QUALITY
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9 DEPARTMENT OF CONSUMER AFFAIRS
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11 In the Matter of the) No. D-5620
12 Accusation Against:)
13 PIANG S. TJONG, M.D.)
1383 E. Herndon Avenue)
14 Fresno, CA 93710)
15 Physician's and Surgeon's)
Certificate No. A-032475)
16 Respondent.)
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18 Dixon Arnett, the complainant herein, alleges as
19 follows:

20 1. Complainant Dixon Arnett makes and files this
21 accusation solely in his official capacity as Executive Director
22 of the Medical Board of California.

23 2. On June 20, 1978, respondent Piang S. Tjong, M.D.
24 (hereinafter "respondent") was issued Physician's and Surgeon's
25 Certificate No. A-032475 under the laws of the State of
26 California. The certificate is and has been in full force and

27 / / /

1 effect at all times pertinent herein and will expire on
2 December 31, 1993 unless renewed.

3 3. Section 2234 of the Business and Professions
4 Code^{1/} provides that the Division of Medical Quality of the
5 Medical Board of California shall take action against a holder of
6 a physician's and surgeon's certificate who is guilty of
7 unprofessional conduct. Unprofessional conduct includes, in
8 pertinent part, the following:

9 "(b) Gross negligence;
0 "(c) Repeated negligent acts;
1 "(d) Incompetence."

G.J. 21

13 4. Respondent committed unprofessional conduct in
14 violation of section 2234 as more particularly alleged below:

15 (A) Respondent was G.J.'s treating physician while
16 G.J. was a patient at Fresno Community Hospital from
17 September 13, 1987 to November 3, 1987.

(B) Respondent was incompetent in his treatment of G.J. by failing to recognize the severity of the patient's condition and by failing to administer appropriate antibiotic therapy and appropriate IV fluid therapy.

22 || / / /

23 / / /

24

25 1. All statutory references are to the Business and Professions Code, unless otherwise stated.

27 2. To protect patient privacy, the patient is referred to by initials. Disclosure of the full name will be provided to respondent pursuant to a timely request for discovery.

J.A.

5. Respondent committed unprofessional conduct in violation of section 2234 as more particularly alleged below:

(A) Respondent was J.A.'s primary care physician at Fresno Community Hospital from March 2, 1988 to March 28, 1988.

(B) Respondent was incompetent in his treatment of J.A. by failing to treat him for congestive heart failure or pneumonia when initially indicated by chest x-rays.

W.N.

6. Respondent committed unprofessional conduct in violation of section 2234 as more particularly alleged below:

(A) Respondent was W.N.'s primary care physician while W.N. was a patient at Fresno Community Hospital from April 29, 1988 to May 19, 1988.

(B) Respondent was negligent in his treatment of W.N. by failing to use an IV H₂ antagonist at the time of admission to help control gastrointestinal bleeding.

C.S.

7. Respondent committed unprofessional conduct in violation of section 2234 as more particularly alleged below:

(A) Respondent was G.S.'s primary care physician while C.S. was a patient at Fresno Community Hospital from September 1, 1988 to September 26, 1988.

(B) Respondent was incompetent in his treatment of C.S. by providing inadequate antibiotic treatment to manage the patient's acute onset of septic shock.

/ / /

1 (C) Respondent was also grossly negligent in his
2 treatment of C.S. by failing to recognize myocardial, ischemia
3 and failing to appropriately treat that condition or to secure a
4 cardiology consultation.

5 (D) Respondent was further negligent in his treatment
6 of C.S. by failing to recognize the possibility of infection of
7 the patient's prosthetic aortic valve or to provide adequate
8 empiric, antibiotic coverage of such a possibility.

9 J.N.

10 8. Respondent committed unprofessional conduct in
11 violation of section 2234 as more particularly alleged below:

12 (A) Respondent was J.N.'s treating physician while J.N.
13 was a patient at Fresno Community Hospital from November 27, 1988
14 to December 12, 1988.

15 (B) Respondent was incompetent in his management of
16 J.N.'s congestive heart failure by failing to aggressively treat
17 this illness by direct admission to the Intensive Care Unit, and
18 consultation with cardiac specialists.

19 (C) Respondent was negligent in his treatment of J.W.
20 by failing to keep adequate records reflecting an appropriate
21 treatment plan and failing to record consultations with the
22 patient's family regarding treatment options.

23 9. Respondent is further subject to disciplinary
24 action pursuant to section 2234, subdivision (c), as more
25 particularly alleged below:

26 Respondent's departures from the standard of care as
27 set forth in the paragraphs above, or any combination, thereof,

1 as well as respondent's lack of adequate record keeping in each
2 case, constituted repeated negligent acts in violation of section
3 2234, subdivision (c).

4 WHEREFORE, complainant prays that the Division of
5 Medical Quality hold a hearing on the matters alleged herein and
6 following said hearing, issue a decision:

7 1. Suspending or revoking respondent's Physician's
8 and Surgeon's Certificate Number A-032475 issued to respondent
9 Piang S. Tjong, M.D.;

10 2. Prohibiting Piang S. Tjong, M.D. from supervising
11 physician assistants; and

12 3. Taking such other and further action as the
13 Division deems necessary and proper.

14 DATED: January 7, 1994



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16 DIXON ARNETT
17 Executive Director
18 Medical Board of California
19 Department of Consumer Affairs
20 State of California
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